REMARKS

Rejection of the claims under 35 USC § 112:

Claim 5 has been rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Applicants have amended the claim to obviate the rejection.

Rejection of the claims under 35 USC § 112:

Claims 1, 4-6, 10, and 13-14 have been rejected under 35 U.S.C. 112, first paragraph as failing to comply with the written description requirement. Applicants have amended the claims to obviate the rejection. Formation of a complex through hydrophobic interaction is routine to those skilled in the art. Therefore identification of hydrophobic groups capable of this function are readily determined. Support for the amendment can be found on page 3 lines 24 through page 4 line 16-32. Applicants request reconsideration of the rejection.

Rejection of the claims under 35 USC § 103:

Claims 1, 4-6, 10, 13, and 14 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Fosnaugh et al. (U.S. 2003/0143732) or Lewis et al. (US 20030143201), taken with Manoharan, M. (Biochimica et Biophysica Acta 1489, 1999: 117-130) and Goldsborough (WO 01/94626). Applicants have amended the claims to obviate the rejection.

Fosnaugh et al. teach siRNA-lipid conjugates [paragraph 0109] as well as a large number of other siRNA conjugates. Fosnaugh et al. further teach that siRNA molecules of their invention can be complexed with cationic lipids [0124]. Fosnaugh et al. do not teach or provide any motivation or desire for combining a lipid-siRNA with a cationic lipid. Fosnaugh et al. also do not teach an siRNA conjugated to a lipid via labile bond cleavable under mammalian physiological conditions

Lewis et al. (US 20030143201) teach that a functional group can be attached to an siRNA. Lewis et al. do not teach that the functional group can be a hydrophobic group. Lewis et al. teach that polymers can have labile bonds, but do not teach that a functional group can be attached to an RNA via a labile bond. Finally, like Fosnaugh et al, Lewis et al. do not provide any suggestion or motivation for reversibly attaching a hydrophobic group to an siRNA via labile bond cleavable

under mammalian physiological conditions such that the siRNA associates with a transfection agent via hydrophobic interaction.

In the absence of motivation to provide hydrophobic interaction between siRNA and a transfection reagent, one skilled in the art would not have been motivated to combine Goldborough or Manoharan with either Fosnaugh et al. or Lewis et al.

In view of the amendments, Applicants request reconsideration of the rejection.

The Examiner's rejections are now believed to be overcome by this response to the Office Action. In view of Applicants' amendment and arguments, it is submitted that claims 1, 4-6, 10, 13, and 14 should be allowable.

Respectfully submitted,

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I hereby certify that this correspondence is being transmitted to the USPTO on this date: 03/09/2009 .

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